



Department of Energy
National Nuclear Security Administration
Office of the General Counsel
P. O. Box 5400
Albuquerque, NM 87185



JUL 11 2019

SENT VIA EMAIL: 68926-59636288@requests.muckrock.com

Mr. Martin Pfeiffer
MuckRock News
DEPT MR 68926
411A Highland Ave
Somerville, MA 02144-2516

Dear Mr. Pfeiffer:

This letter is the final response to your February 20, 2019, Freedom of Information Act (FOIA) request for the following:

“Memos, reports, or other records discussing the existence, causes, and/or results of incidents and accidents--individually or in aggregate--involving nuclear weapons including (but not limited to) those that would be categorized as “Bent Spear,” “Dull Sword,” and “Broken Arrow.”

You may restrict your search to records discussing incidents and accidents occurring between January 1, 2010 to February 12, 2019.”

Your request was received in this office on February 20, 2019. Upon receipt, we contacted the Sandia Field Office (SFO) regarding your request. SFO reviewed the request and determined that SFO does not keep files of this nature. Therefore, no responsive records were located by SFO.

SFO asked National Technology & Engineering Solutions of Sandia, LLC (NTESS), the M&O Contractor for Sandia National Lab, to search for records. NTESS searched the following departments seeking responsive documentation: a) Customer Funded Record Center, b) Corporate Archives, and c) the Technical Library. An electronic search of Enterprise Information Management Services, Versatile/Inactive Storage, Corporate Archives Digital Archives on the Sandia Restricted Network (SRN) and the Sandia Classified Network (SCN), SRN and SCN Library Catalogs, Corporate Digital Image Repository, Corporate Archives still photo collection Digital Image Archive and the Corporate Archives physicals holdings in Inactive Records Storage was conducted.

The aforementioned databases and catalogs were searched using a variation of keywords as stated in the FOIA request. Specifically, “accident or incident” were used in conjunction with the words “nuclear, weapon, warhead component, vehicle, system, deployment, transportation, safeguard, and armament.” The terms “nuclear weapon incident, nuclear weapon accident, nuclear incident, nuclear accident, nuclear components, accident, incident, vehicle nuclear loaded, Bent Spear, Broken Arrow, Dull Sword, Pinnacle, NucFlash Incidents, and NucFlash” were also queried. Again, no responsive records were located.

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We also contacted the Office of Counterterrorism and Counterproliferation (NA-80), the Office of Emergency Operations (NA-40) and the Office of Defense Programs (NA-10) regarding your request. Each office conducted a search and did not locate responsive documents.

You may appeal our inability to locate responsive records within 90 calendar days from your receipt of this letter pursuant to 10 C.F.R. § 1004.8. Appeals should be addressed to Director, Office of Hearings and Appeals, HG-1, L'Enfant Plaza, U.S. Department of Energy, 1000 Independence Avenue, S.W., Washington, D.C. 20585-1615. The written appeal, including the envelope, must clearly indicate that a FOIA appeal is being made. You may also submit your appeal to OHA.filings@hq.doe.gov, including the phrase "Freedom of Information Appeal" in the subject line (this is the method preferred by the Office of Hearings and Appeals). The appeal must contain all of the elements required by 10 C.F.R. § 1004.8, including a copy of the determination letter. Thereafter, judicial review will be available to you in the Federal District Court either: 1) in the district where you reside; 2) where you have your principal place of business; 3) where DOE's records are situated; or 4) in the District of Columbia.

You may contact me, NNSA's FOIA Public Liaison, at 866-747-5994, or by mail at Department of Energy, National Nuclear Security Administration, Office of the General Counsel, P.O. Box 5400, Albuquerque, NM 87185 for any further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

There are no charges to you for processing your FOIA request.

If you have questions about the processing of this request, please contact Angelia Bowman by e-mail at angelia.bowman@nnsa.doe.gov or write to the address at the top of the first page. Please reference Control Number FOIA 19-00106-AB in your correspondence.

Sincerely,



Pamela Arias-Ortega
Authorizing and Denying Official